

George R. Hirsch (GH 8284)
BRESSLER, AMERY & ROSS
A Professional Corporation
325 Columbia Turnpike
Florham Park, New Jersey 07932
P. O. Box 1980
Morristown, New Jersey 07962
(973) 514-1200
Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MERRILL LYNCH BUSINESS
FINANCIAL SERVICES INC.,

Plaintiff,

06 Civ. 4802 (DMC)

vs.

ARTHUR KUPPERMAN; E. ROSS
BROWNE; PAULETTE KRELMAN,
PGB INTERNATIONAL, LLC; and JP
MORGAN CHASE BANK, NATIONAL
ASSOCIATION,

Defendants.

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT ON THE
FOURTH COUNT OF THE
VERIFIED COMPLAINT AND
FOR CERTIFICATION OF
JUDGMENT AS FINAL**

TO: ALL PERSONS ON THE ATTACHED SERVICE LIST

COUNSEL:

PLEASE TAKE NOTICE that on Monday, November 27, 2006 at 10:00 a.m., or as soon thereafter as counsel may be heard, Plaintiff Merrill Lynch Business Financial Services Inc. ("MLBFS"), by and through its attorneys, Bressler, Amery & Ross, P.C., shall move before the Honorable Dennis M. Cavanaugh, U.S.D.J., at the United States District Court for the District of New Jersey, 451 U.S. Post Office and Courthouse Building, Federal Square, Newark, New Jersey, for an Order pursuant to Fed. R. Civ. P.

56 granting MLBFS summary judgment on the Fourth Count of its Verified Complaint against Defendants Arthur Kupperman, E. Ross Browne, and Paulette Krelman and for certification of the judgment as final pursuant to Fed. R. Civ. P. 54(b).

In support of this motion, MLBFS shall rely upon: (i) the Local Civil Rule 56.1 Statement of Material Facts and Brief submitted herewith; (ii) the October 25, 2006 Declaration of George R. Hirsch and the Verified Complaint, both previously filed; and (iii) the Declaration of Catherine L. Briick submitted herewith.

A proposed form of Order is also submitted herewith.

BRESSLER, AMERY & ROSS, P.C.
Attorneys for Plaintiff

By: 
George R. Hirsch

DATED: November 1, 2006

SERVICE LIST

A. Michael Covino, Esq.
Budd Lerner
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078-7734

Attorneys for Defendants Arthur Kupperman and PGB International, LLC

Vincent F. Papalia, Esq.
Saiber Schlesinger Satz & Goldstein, LLC
One Gateway Center, 13th Floor
Newark, New Jersey 07102-5311

Attorneys for Defendant E. Ross Browne

Frederick B. Polak, Esq.
Post, Polak, Goodsell, MacNeill, & Strauchler, P.A.
425 Eagle Rock Avenue, Suite 200
Roseland, New Jersey 07068

Attorneys for Defendant Paulette Krelman

John M. August, Esq.
Herrick, Feinstein LLP
One Gateway Center
Newark, New Jersey 07102
Attorneys for J.P. Morgan Chase Bank, N.A.

John P. Gleason, Esq.
Gleason & Koatz, LLP
230 Park Avenue
New York, New York 10169
Attorneys for Empresas Lourdes, S.A.

James A. Scarpone, Esq.
Scarpone Staiano & Savage
744 Broad Street, Suite 1901
Newark, New Jersey 07102
*Attorneys for Chapter 7 Trustee
of the Bankruptcy Estate of PITTRA G.B. International, Inc.*